

REMARKS

1. Amendment of Claims:

In the above referenced Office Action, Claim 19 was rejected under 35 U.S.C. 112, second paragraph because it included a typographical error. In response, Claim 19 is corrected.

Claims 1, 3, 4, 13-14 were rejected under 35 U.S.C. 102(e) as being anticipated by Delorme.

Claims 7, 16-17, and 19 were rejected under 35 U.S.C. 103 as being obvious based on Delorme.

In the Conclusion section of the Office Action, the Examiner also noted that Roth may be used to reject Claims 5-7, 13-19.

In response, Claim 1 is amended to more clearly distinguish Applicant invention over the prior art references identified by the Examiner. In the Office Action, the Examiner noted that the issues raised by the Applicant in the June 25, 2003 are not limitations because they are not recited in the Claims and therefore, will not be considered. In response, the following elements (g), (h) and (i) in Claim 1 has been amended to include these limitations:

g. determining if said electronic device is within a desired target advertising region of an advertiser;

h. selecting advertising material to be sent to said electronic device moving within the desired target advertising region; and,

i. transmitting without a request from the user said advertising material to said electronic device moving through the target advertising region when said electronic device is connected to said computer wide area network.

1 Support for the amended claim language in Claim 1(g) (h) and (i) is found generally  
2 on pages 6, line 5 thru page 9, line 5 and more specifically, in the examples presented on  
3 page 9 and 10.

4 In the specification, a localized marketing system is described in which  
5 advertisements are selected and downloaded to the a user without the user specifically  
6 requesting the advertisements. When the user travels in the advertisement region and is  
7 identified by the server, the advertisements are automatically selected and transmitted to teh  
8 user.

9 The Applicant submits that none of the prior art references cited by the Examiner  
10 disclose or suggest a method of localized advertising that: (1) determines if a mobile user is  
11 connected to the computer wide area network and within a target advertising area; (2) decides  
12 which advertisement to transmit to the user based on the web sites or files visited by the user  
13 on the computer wide area network; and (3) then transmits the advertisements only when the  
14 user user is within the target advertising area.

15 As previously discussed, Delorme et. al, discloses a computerized travel reservation  
16 information and planning system is disclosed that generates a 'map ticket' for directions and  
17 transactions en route during the trip. In Fig. 9, and described on Col. 71, line 60 – Col. 78,  
18 line 21, the system is modified for mobile users to obtain travel information from TRIPS  
19 communication facilities or service bureaus. In every embodiment of system, the travel and  
20 trip information is transmitted to the user *only after a request has been submitted by the*  
21 *user*. The system does not send travel and trip information to the user if the information is no  
22 requested by the user. Also, the transmission of advertisements is not triggered by the user  
23 entering the target advertising area.

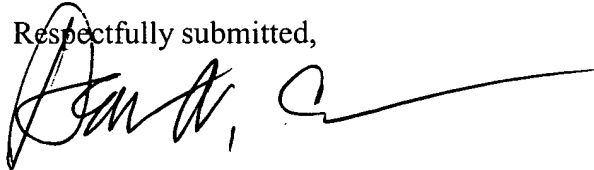
1           Applicant's system includes a mobile electronic device capable of connecting to a  
2 computer wide network via a wireless communication device.. A server connected to the  
3 computer wide area network is used to create a user file that contains two types of  
4 information – the network identity information and the physical location information. Next,  
5 the system selects advertisements to send to the user as he or she travels through a target  
6 advertising region. When the system determines that the user is connected to the computer  
7 wide area network and is located within the target advertising region, advertisements are  
8 selected and transmitted to the user.

9       In addition to being clearly distinguishable over Delorme et al., the invention also provides  
10 unexpected benefits that support a finding of non-obvious. It is well known that an  
11 important goal for all advertisers is to disseminate advertisements to all potential customers  
12 regardless if they may or may not have initially requested the information. Applicant  
13 invention allows advertisers to meet this goal. Because most customers prefer to patronize  
14 nearby businesses, Applicant's system that limits transmission of advertisements only to  
15 users that are located within the target advertisement region and not to users outside the  
16 advertisement region, is more efficient than system discloses in Delorme et. al. Also,  
17 because advertisements are not sent to users located outside the target advertising region,  
18 advertisements may be 'fine-tuned' to include only information that appeals to local  
19 consumers

20           The Applicant submits the method recited in the claims provides an easy, inexpensive  
21 way for advertisers to advertise their goods and services to mobile, localized users. The  
22 Applicant submits that the claims as amended now recited a method that is not anticipated  
23 nor rendered obvious by the prior art references and now in condition for allowance.

1 Allowance at an early date is earnestly requested. The Examiner is invited to call the  
2 undersigned in the event the Examiner believes there are any further obstacles to allowance  
3

4 Respectfully submitted,

5 

6 DEAN A. CRAINE

7 Reg. No. 33,591

8

9 Attorney for Applicant

10

11

12

13

14

15

16

17

18

19

20

21

22

23